



**Howard County Department of Planning and Zoning**  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

**TECHNICAL STAFF REPORT**

**MERRIWEATHER-SYMPHONY WOODS NEIGHBORHOOD**

**Planning Board Hearing of June 21, 2012**

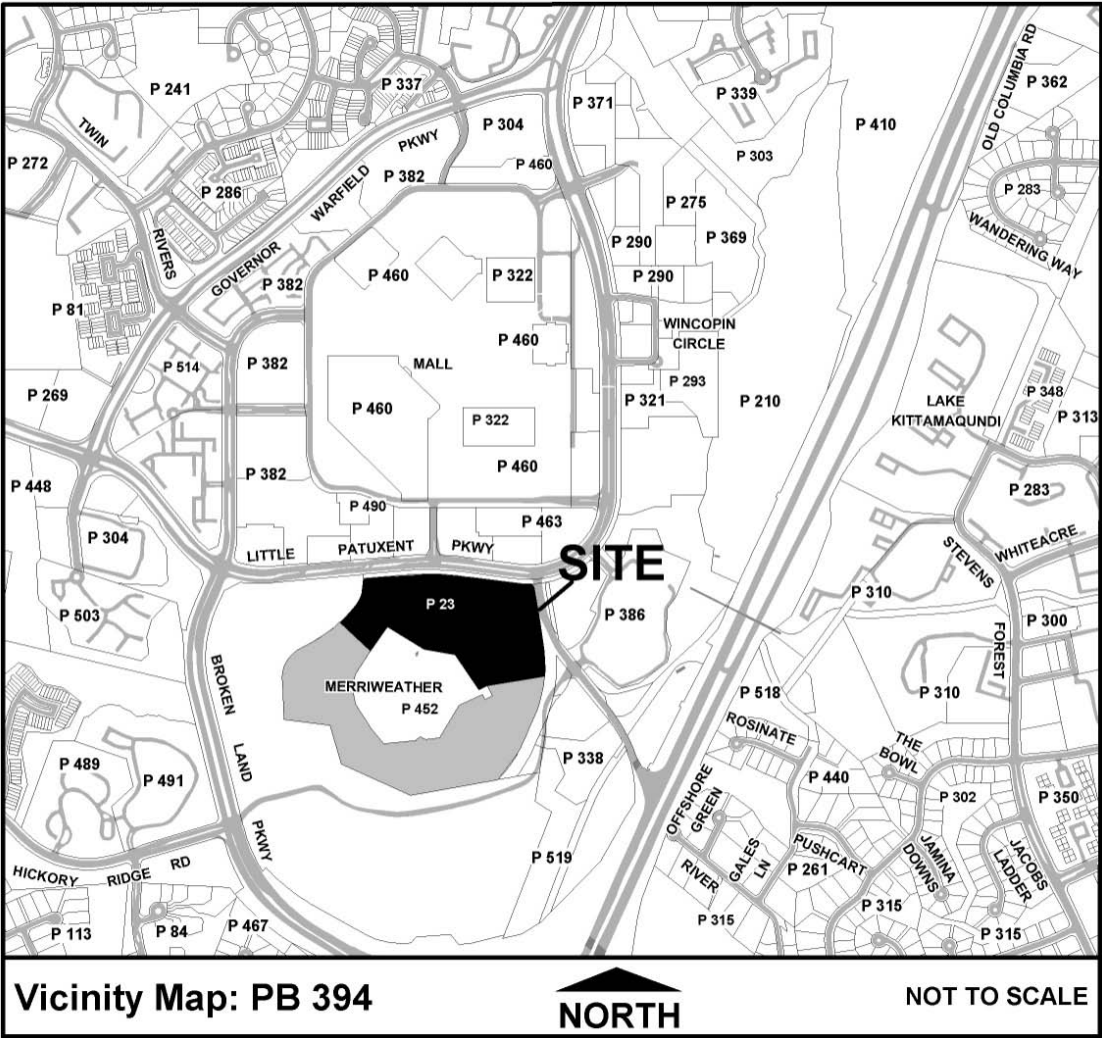
**Case No.:** PB 394

**Owner and Petitioner:** Columbia Association, Symphony Woods Neighborhood, Symphony Woods Park

**Request:** For Planning Board approval of FDP-DC-MSW-1, a Final Development Plan for Downtown Revitalization, the Merriweather-Symphony Woods Neighborhood Concept Plan, the Merriweather-Symphony Woods Neighborhood Specific Design Guidelines, and the Merriweather-Symphony Woods Neighborhood Specific Implementation Plan in accordance with Sections 125.A & E of the Zoning Regulations. The Final Development Plan proposes a 16.1 acre project area as Downtown Parkland land use with proposed future improvements within the northern portion of the parcel. In accordance with Section 125.E.4 of the Zoning Regulations, the Planning Board shall evaluate and approve, approve with conditions, or disapprove the Final Development Plan and associated Neighborhood Documents at a Public Hearing.

**Recommendation** -The Department of Planning and Zoning recommends approval of:

- A. The Merriweather-Symphony Woods Neighborhood Concept Plan;
- B. The Merriweather - Symphony Woods Neighborhood Specific Design Guidelines, which incorporates changes recommended by the DAP;
- C. The Merriweather-Symphony Woods Neighborhood Specific Implementation Plan; and
- D. The Final Development Plan, FDP-DC-MSW-1, Merriweather-Symphony Woods, subject to adequately addressing all remaining technical comments provided by the Subdivision Review Committee dated April 19, 2012 and June 1, 2012.





**Location:** The subject property is a 16.1 acre site, which is part of a larger 33.94 acre parcel designated as Downtown Parkland in the Downtown Columbia Plan known as Symphony Woods Park. It is located on the south side of Little Patuxent Parkway between South Entrance Road and Broken Land Parkway, opposite of the Mall Entrance Drive. The property is identified as Tax Map 36, Grid 1, Parcel 452, Lot 23.

**Neighborhood:** The Merriweather-Symphony Woods Neighborhood is described in the Downtown Columbia Plan as a cultural park that will serve as a setting for arts, cultural and civic uses, and further described in the Downtown-Wide Design Guidelines as an attractive setting for passive recreation and community events. It encompasses most of Symphony Woods (excluding land isolated by a future road in the Crescent Neighborhood), and the Merriweather Post Pavilion. The neighborhood will be delineated by a future road in the Crescent Neighborhood per the Downtown Columbia Plan.

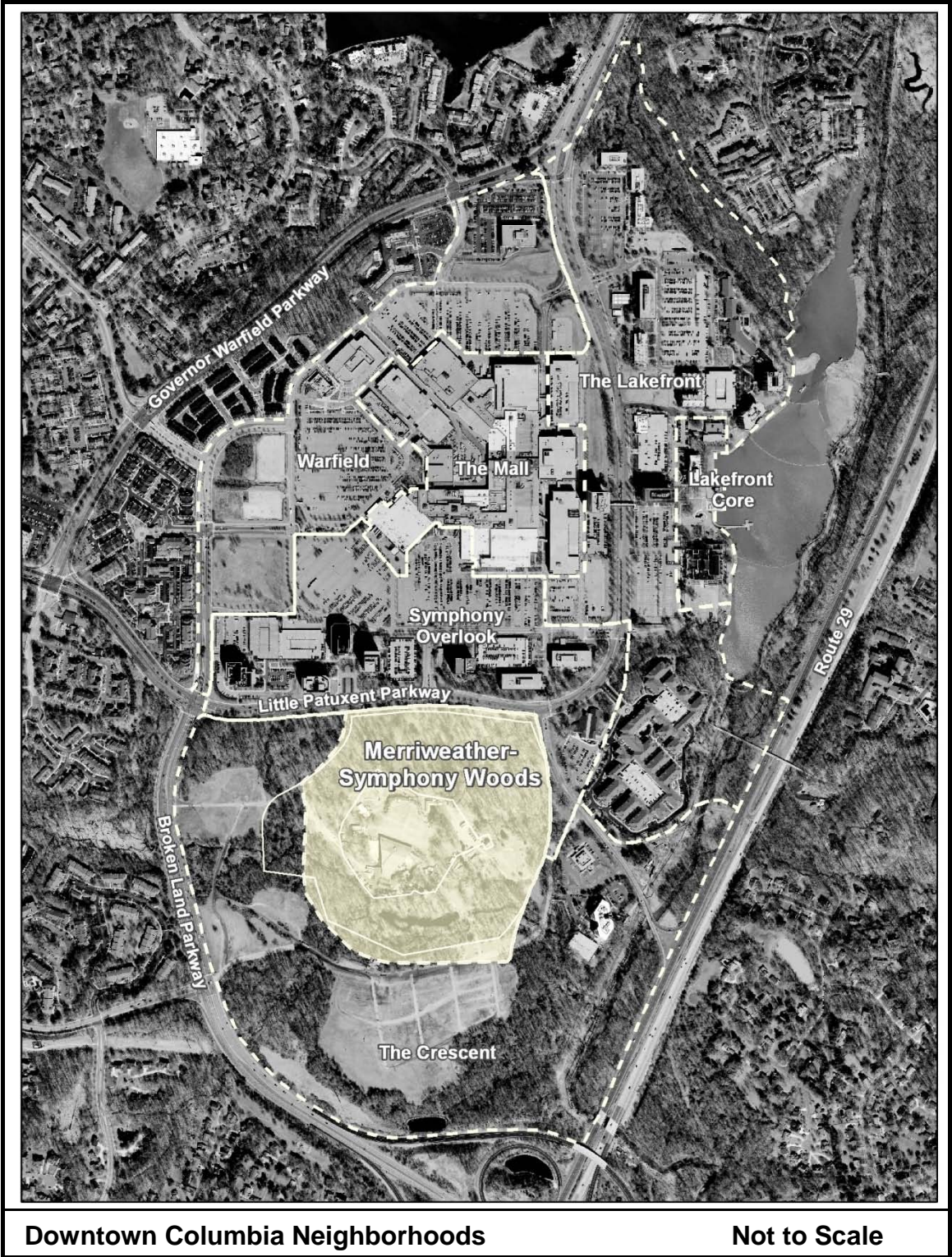
**Vicinal Properties:**

**North:** The site is bounded to the north by the Little Patuxent Parkway. On the opposite side of the Little Patuxent Parkway are several office buildings and parking garages, with the Mall in Columbia just north of the offices.

**South:** The south side of the site is bounded by Merriweather Post Pavilion and additional Downtown Parkland.

**East:** South Entrance Road and Symphony Woods Road bound the project area to the east. Opposite these roads are the Central Branch Library, Toby’s Dinner Theatre, and an apartment building.

**West:** There is vacant area to the west of the site designated as Downtown Mixed Use Area. Broken Land Parkway runs beyond the vacant land.



Downtown Columbia Neighborhoods

Not to Scale

## I. General Comments

### A. Relevant Site History

- Lot 23 currently operates as Columbia Association owned Open Space. The lot was originally designated as Open Space Use on Final Development Plan Phase 4 recorded on November 16, 1966. That plan was superseded by a Final Development Plan recorded on May 29, 1967. The most recent FDP is Phase 4-A-V recorded as Plat #15235. All FDPs are superseded with this FDP for Downtown Revitalization for this project area. The boundaries were most recently recorded on Plat #13535 (F-99-018).
- The 16.1 acre project area encompasses the northern portion of land area commonly known as Symphony Woods. Community events are occasionally held at Symphony Woods, and the area serves as a northern gateway to Merriweather Post Pavilion. The petitioner seeks to make improvements that will create a setting for regular passive recreation and continue to support cultural community events.

### B. Legal Notices --

- The subject site was properly posted with four (4) official Planning Board hearing notices. These signs were posted beginning on May 21, 2012, as verified by County staff.
- Legal advertisements for this case appeared in *The Baltimore Sun* on May 16, 2012 and the *Columbia Flier* on May 17, 2012.

### C. Regulatory Compliance - *Final Development Plans and associated Neighborhood Documents for Downtown Revitalization are subject to the following items, which are to be incorporated by reference into the record:*

- (1) The Downtown Columbia Plan, Council Bill No. 58-2009, which approved an amendment to the Howard County General Plan.
- (2) The Zoning Regulations, including sections enacted as part of an amendment to the Zoning Regulations as Council Bill No. 59-2009 (ZRA 113).
- (3) Downtown-Wide Design Guidelines passed as Council Resolution 138-2010.
- (4) The Adequate Public Facilities Act amended for Downtown Columbia as Council Bill 47-2010.
- (5) The Howard County Design Manual, Volume 3, Chapter 4 amended for Downtown Columbia as Council Resolution 97-2010.
- (6) The Sign Ordinance amended for Downtown Columbia as Council Bill 56-2010.

*In addition, the petitioner met the following pre-submission requirements:*

- (7) A Pre-submission Community Meeting was held on June 16, 2011 in accordance with Section 125.E.2 of the Zoning Regulations and Section 16.128(b)-(g) of the Subdivision and Land Development Regulations.
- (8) The Design Advisory Panel (DAP) reviewed the Neighborhood Specific Design Guidelines on July 13, 2011 in accordance with Section 125.E.2 of the Zoning Regulations and Title 16, Subtitle 15 of the County Code. The Planning Board may consider the DAP's recommendation in making a final decision in Neighborhood Design Guideline approval per Title 16, Subsection 1504(f) of the County Code.

### D. Definitions:

- **Downtown Columbia Definitions:** Please refer to the attached definitions (**Attachment C**) of terms relating to Downtown Columbia revitalization as excerpted from Section 103.A.38-60 of the Zoning Regulations as needed.
- **Neighborhood Documents:** The Neighborhood Concept Plan, Neighborhood Specific Design Guidelines and the Neighborhood Specific Implementation Plan are at times referred to collectively as the "Neighborhood Documents" within this technical staff report.
- **Exhibits:** The Street and Block Plan, the Neighborhoods Plan, the Maximum Building Heights Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Plan, and the Open Space Preservation Plan are at times collectively referred to as "Exhibits" within this technical staff report.

### E. Purpose of Petition - The purpose of the Final Development Plan (FDP) is to identify:

- Existing conditions for the subject area;
- The proposed land uses;
- Information pertaining to Downtown Parkland, Downtown Art and Entertainment, and Downtown Community Commons.
- Any other information relating to how the development of the subject area will comply with the Downtown Revitalization requirements.

As part of the Final Development Plan submission, petitioners are required to propose a Neighborhood Concept Plan, Neighborhood Specific Design Guidelines, and a Neighborhood Implementation Plan, which are intended to provide a context for evaluation for the initial Final Development Plan and provide



guidance for future Final Development Plan petitions, but are only binding on the property included within this FDP. The purpose of each of these documents is further discussed in Section II.

- F. Determining Conformance:** Evaluation of the Final Development Plan, Neighborhood Concept Plan, the Neighborhood Specific Design Guidelines, and the Neighborhood Specific Implementation Plan is to be based on conformance with the New Town (NT) Zoning Regulations, the Downtown Columbia Plan and the Downtown-Wide Design Guidelines. Conformance is specifically interpreted in Section 125.A.2.b of the Zoning Regulations:

*“When a provision in this section requires that an action “will conform”, “conform with”, “conforms with” or “conforms to”, the Downtown Columbia Plan or any part of the plan, the action being taken shall further, and not be contrary to, the following items in the Downtown Columbia Plan:*

- (1) Policies;*
- (2) Timing and implementation of the plan;*
- (3) Timing of development;*
- (4) Development patterns*
- (5) Land uses; and*
- (6) Densities and intensities.”*

**II. Description of the Final Development Plan Proposal and Associated Neighborhood Documents**

- A. Proposed Neighborhood Concept Plan** – The purpose of the Neighborhood Concept Plan is to show an entire neighborhood as identified in the Downtown Columbia Plan and depict the proposed land use designations, provide a general layout of the neighborhood, pedestrian and bicycle circulation within the neighborhood and to adjoining areas, and determine maximum building heights as a context for evaluation of the Final Development Plan. It may provide guidance for future Final Development Plan petitions, but is only binding on the property included within the boundaries of this Final Development Plan.

The Merriweather-Symphony Woods Neighborhood Concept Plan provides a conceptual layout of the proposed programmed features and major multi-use pathways within Symphony Woods Park and the future improvements to the Merriweather Post Pavilion. Some features are proposed to be potentially shared between the park and Merriweather Post Pavilion. It is anticipated that uses such as the café, play and garden areas, formal pathways and fountain, and the shared use pavilion and amphitheater will all be located within the northern half of the neighborhood. South of the Merriweather Post Pavilion will remain mostly natural and will be dedicated to environmental restoration projects, a multi-use path, and other passive uses. The location of all features is approximate and may change over time at the Site Development Plan stage. The Neighborhood Concept Plan was evaluated to ensure connectivity is maintained between the two major amenity destinations that comprise this neighborhood, as well as with the surrounding Downtown Neighborhoods based on the pedestrian and bicycle networks as shown on the Downtown Columbia Plan.

Symphony Woods Park is designated as Downtown Parkland and the Merriweather Post Pavilion is designated as Downtown Arts & Entertainment Park, identical to the Downtown Columbia Plan. A maximum building height of 4 stories is proposed, also in conformance with the Downtown Columbia Plan. No modifications to the Downtown Columbia Plan are proposed, and conformance is further described in Section III.

- B. Proposed Final Development Plan** – The Final Development Plan (FDP) shows future improvements within the 16.1 acre project area located in the northern half of Lot 23. These future improvements include a network of pathways, a fountain, a shared use pavilion, a shared use amphitheater, shared use café, play activity area, woodland garden area, a parking area and the approximate location of future environmental restoration activities (as shown in the Neighborhood Concept Plan). No residential, retail, office, or hotel uses are proposed with this FDP. The location of these features is approximate and will be further evaluated at Site Development Plan. Please note it is anticipated that the first Site Development Plan may include only the pathways, parking, and fountain. The other potential improvements shown on this FDP may be detailed on subsequent site development plans.

The Final Development Plan proposes parking. The Downtown Parkland development for this parking must be replaced with Downtown Mixed Use Area per Section 125.A.9.g.5 of the Zoning Regulations. Please see Section III, criteria c., below, for additional information.

- C. The Merriweather-Symphony Woods Neighborhood Specific Design Guidelines** provide design guidelines for an individual neighborhood as a context for evaluation of the Final Development Plan. While it may provide guidance for future Final Development Plan petitions, it is only binding on the property included within the boundaries of this Final Development Plan. The Merriweather-Symphony Woods Neighborhood Specific Design Guidelines were modeled after the approved Downtown-Wide Design Guidelines. Included within the guidelines is a detailed vision statement for the neighborhood with an explanation of the design approach for different portions of the park, as well as the conceptual plans for renovations to Merriweather Post Pavilion. Hardscape and landscape design, pathway standards, architectural standards, design and material selection guidelines, sustainability principles, and signage specifications are provided within this document. Also included in the design guidelines are two appendices for Shared Use Path Design Guidelines and On-Road Bicycle Facilities.
- D. The Merriweather-Symphony Woods Neighborhood Specific Implementation Document** provides an implementation schedule for the improvements proposed with this Final Development Plan and how the Neighborhood may progress in future phases. The scope for this Implementation Document is limited

due to the lack of residential or commercial development in the neighborhood. Therefore, it has been provided in chart form as Sheet 5 in the plan sheet set. It is meant to provide a context for evaluation of the Final Development Plan. While it may provide guidance for future Final Development Plan petitions, it is only binding on the property included within the boundaries of this Final Development Plan.

While the CEPPA requirements and the Revitalization Phasing Plan are not applicable to this Final Development Plan (see Planning Board criteria below for explanation), the Implementation Document was provided for this neighborhood in order to provide a known timeline of improvements, how the improvements complement the Downtown Columbia Plan for circulation, parkland, and arts, culture and community uses. The Implementation Document also provides an anticipated timeline for required environmental restoration work, as well as for the replacement of Downtown Parkland due to the proposed parking area. This parkland replacement will occur with the initial submission of the Crescent Neighborhood.

E. **Conformance Summary** – Using the criteria listed in Section 125.A.2 of the Howard County Zoning Regulations, these documents conform to the Downtown Columbia Plan as follows:

Conformance with the Downtown Columbia Plan	Neighborhood Concept Plan	Neighborhood Specific Design Guidelines	Neighborhood Implementation Document	Final Development Plan
Policies;	X	X	X	X
Timing and implementation of the plan;	NA	NA	X	X
Timing of development;	NA	NA	X	X
Development patterns;	X	X	X	X
Land uses; and	X	X	X	X
Densities and intensities	X	X	X	X

III. **Planning Board Criteria:** In accordance with Section 125.E.4 of the Howard County Zoning Regulations, the Planning Board is to evaluate and approve, approve with conditions, or deny the petition based on whether the Final Development Plan and associated Neighborhood Documents satisfy the following criteria (**Attachment A** provides a summary of conformance with this criteria):

a. ***The Downtown Neighborhood Concept Plan, the Neighborhood Specific Design Guidelines, and the Neighborhood Specific Implementation Plan*** conform with: *the Downtown-Wide Design Guidelines; the Downtown Columbia Plan (including the Street and Block Plan, the Neighborhoods Plan, the Maximum Building Heights Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Plan, and the Open Space Preservation Plan). Any proposed change(s) will not be detrimental to the overall design concept and phasing for Downtown Revitalization. Limited change in building heights may be approved based on compatibility, character and height of nearby existing and planned development and redevelopment, and open spaces in the area. However, in no event shall the maximum building height for Downtown Revitalization exceed twenty stories;*

In the Neighborhood Documents and Exhibits, the petitioner has demonstrated conformance with the Downtown Columbia Plan and the associated exhibits as well as with the Downtown-Wide Design Guidelines. Any modifications proposed continue to further, and are not contrary to, the policies, timing and implementation of the plan, timing of development, development patterns, land uses or densities and intensities as described in the Downtown Columbia Plan. The documents are discussed below:

**Neighborhood Concept Plan:**

- The Neighborhoods Plan (Exhibit E): No modifications are proposed. However, please be aware that south, west and east of the neighborhood will be ultimately determined by the installation of the new avenue that is envisioned for the Crescent Neighborhood as shown on Exhibit H of the Downtown Columbia Plan, which will serve as a boundary between the two neighborhoods. The Merriweather Symphony Woods Neighborhood boundary line will ultimately end at the curb or right of way line of this future road, except the boundary with the Symphony Overlook Neighborhood which will not be altered by the location of the road (northeast corner of neighborhood), as well as the northwest corner of the neighborhood boundary which terminates along the boundary of Columbia Association owned land, as shown in Exhibit E of the Downtown Plan. The Neighborhood Plan may also need to be amended in the future to reflect alternative uses driven by the renovation of Merriweather Post Pavilion.
- The Maximum Building Heights Plan (Exhibit F): No modifications proposed.
- The Street and Block Plan (Exhibit C): No modifications proposed.
- Street Framework Diagram (Exhibit H): No modifications proposed. As stated above, the ultimate alignment of the Avenue Type 3 that bisects this neighborhood with the Crescent Neighborhood will be determined with the Final Development Plan for that neighborhood.
- The Bicycle and Pedestrian Plan (Exhibit I): No modifications are proposed to the bicycle or pedestrian circulation. However this Neighborhood Concept Plan shows enhanced connections to surrounding neighborhoods through the addition of multiuse paths within the neighborhood.

- Primary Amenity Space Framework Diagram (Exhibit G): No modifications proposed.
- Open Space Preservation Plan (Exhibit K): No modifications proposed.

The **Merriweather-Symphony Woods Neighborhood Specific Design Guidelines (NSDGs)** were modeled after the approved Downtown-Wide Design Guidelines and describe a vision of the neighborhood consistent with the description found in the Downtown Columbia Plan. However, the Street and Sidewalk Design Guidelines were omitted since there are no streets proposed within the neighborhood. Alternatively, On-Road Bicycle Facilities and Shared Use Pathway Guidelines are provided as appendices in order to address these relevant issues within the neighborhood and along the multiuse path that is proposed between Howard County General Hospital and Blandair Park, of which a portion of the alignment will be constructed along the frontage of this site. The NSDGs provide the required guidance to promote designs in future plans that will reflect the importance of linking the cultural and entertainment components of the neighborhood with its natural assets.

The **Merriweather-Symphony Woods Neighborhood Implementation Document** also conforms with the policies, timing and implementation of the plan, timing of development, development patterns, land uses, and densities and intensities as outlined in the Downtown-Wide Design Guidelines, the Downtown Columbia Plan and Exhibits. It has been streamlined for this neighborhood since no housing, office, retail, or hotel uses are proposed.

***b. The Neighborhood Design Guidelines submitted with the Final Development Plan offer sufficient detail to guide the appearance of the neighborhood over time, and promote design features that are achievable and appropriate for Downtown Revitalization in accordance with the Design Guidelines and the Downtown Columbia Plan.***

In accordance with Section 125.E.3.a.2 of the Zoning Regulations, The Merriweather-Symphony Woods Neighborhood Design Guidelines address and provide sufficient guidance for development plans within the neighborhood relating to the following design components:

- Urban design, including scale and massing, parking and service functions, and lighting and furniture are covered in Chapter 6, *Amenity Space Guidelines* and Chapter 7, *Urban Design and Architectural Guidelines*.
- Street design and framework – not applicable; no streets proposed within the neighborhood
- Downtown Parkland is covered in Chapter 6, *Amenity Space Guidelines*. In this section, the importance of the interaction and coordination with Merriweather Post Pavilion is emphasized. The Design Vision for the neighborhood as a major cultural and recreational center is described in the NSDGs and should clearly guide future, more specific plans.
- Architectural design is covered in Chapter 7, *Urban Design & Architectural Guidelines*
- Green building and green site design is covered in Chapter 8, *Sustainability Guidelines*
- Pedestrian and bicycle circulation features are discussed in Chapter 6, *Amenity Space Guidelines*. In addition, appendices are provided for *On-Road Bicycle Facilities* and *Shared Use Pathway Guidelines*.
- Signage is covered in Chapter 9, *Sign Design Guidelines*.

See the Design Advisory Panel's recommendations for additional input to be considered in evaluating the Merriweather-Symphony Woods Neighborhood Specific Design Guidelines, attached as Attachment B, which also includes DPZ's analysis of how the Petitioner incorporated the Panel's recommendations.

***c. The Final Development Plan conforms with: the Neighborhood Documents; the Revitalization Phasing Plan, the Downtown Community Enhancements, Programs, and Public Amenities (CEPPA) Implementation Chart and Flexibility Provisions; the Downtown-wide Design Guidelines; the Downtown Columbia Plan, (including the Street and Block Plan, the Neighborhoods Plan, the Maximum Building Heights Plan, the Primary Amenity Space Framework Diagram, the Street Framework Diagram, the Bicycle and Pedestrian Plan, and the Open Space Preservation Plan). Limited change in building heights may be approved based on compatibility, character and height of nearby existing and planned development and redevelopment, and open spaces in the area. However, in no event shall the maximum building height for Downtown Revitalization exceed twenty stories;***

Neighborhood Documents, Downtown-wide Design Guidelines, Downtown Columbia Plan and Exhibits

As described in Criteria a., above, the Neighborhood Documents conform with the Downtown-wide Design Guidelines and the Downtown Columbia General Plan. Similarly, the Final Development Plan (FDP) conforms with the Neighborhood Documents that are recommended to be approved with this plan, providing the same land use, and pedestrian and bicycle circulation proposed on the Neighborhood Concept Plan and therefore also complies with the Downtown Columbia Plan and Downtown-wide Design Guidelines. The Neighborhood Concept Plan also conforms to the Neighborhood Design Guidelines. The proposed development will be further evaluated at Site Development Plan stage when development details are provided, but the proposed improvements on the Final Development Plan conform to the Neighborhood Design Guidelines.

Page 62 of the Downtown Columbia Plan and Section 125.A.9.g.5 of the Zoning Regulations require that new parkland acreage be provided to replace any parkland lost to development. The proposed parking area shown within this FDP constitutes such development and must be replaced acre-for-acre. Columbia

Association and Howard Hughes Corporation have agreed to a land swap to enable this replacement. This replacement will occur with the first submission of subdivision for the Crescent Neighborhood. Development within the Crescent Neighborhood will not be able to occur without this replacement. The County has retained a copy of the signed memorandum of understanding between the Howard Hughes Corporation and the Columbia Association within the project file for this FDP.

Revitalization Phasing Plan

The Revitalization Phasing Plan is not applicable to this FDP since there is not any housing, retail, office or hotel uses proposed.

CEPPA Implementation Chart

The Downtown Community Enhancements, Programs and Public Amenities (CEPPA) Implementation Chart does not apply to this FDP since it comprised entirely of Downtown Parkland, per *Section 125.A.9.h.(2)(a) of the Zoning Regulations which states that "In no case shall the obligation to provide a Community Enhancement, Program and Public Amenity (CEPPA) be triggered (a) By the development or construction of Downtown Arts, or Downtown Parkland."*

- d. The Final Development Plan, when considered in the context of surrounding planned or existing development, provides a balanced mix of housing, employment and commercial, and arts and cultural uses throughout each phase;**

This FDP is comprised entirely of arts and cultural uses, and will serve as the cultural center to the Downtown as density increases within the area. Subsequent plans should reflect careful coordination with Merriweather Post Pavilion to maximize the importance of the entire Neighborhood as a cultural and community centerpiece.

- e. The Final Development Plan satisfies the affordable housing requirement.**

There is no housing proposed with this FDP.

- f. The bicycle, pedestrian, and transit network creates convenient connections throughout the subject area and connect, wherever possible, to existing and planned sidewalks, path, and routes adjoining the development;**

The pedestrian and bicycle network proposed on this Final Development Plan (FDP) conforms with the Neighborhood Concept Plan and the Bicycle and Pedestrian Circulation Plan in the Downtown Columbia Plan. The multiuse paths proposed within the park will enhance these connections both within the park and to adjacent neighborhoods.

- g. The Final Development Plan protects land covered by lakes, streams or rivers, flood plains and steep slopes, and provides connections, where possible to existing and planned open space within the neighborhood and in surrounding area;**

There are some moderate and steep slopes, as well as an intermittent stream within the project. None of proposed improvements are shown to be impacting these features, and a 50' buffer is provided around the intermittent stream.

The entire Final Development Plan is within planned open space. Connections are provided to the anticipated future entrance points to the Merriweather Post Pavilion, and to the pedestrian and bicycle routes as proposed on the Downtown Columbia Plan. It is anticipated that a future multi-use path to be proposed in a future phase for this neighborhood will connect to the multiuse pathway at Lake Kittamaqundi as shown on the Downtown Columbia Plan.

- h. The Final Development Plan provides the location of Downtown Community Commons required under Section 125.A.9.h as indicated in the Neighborhood Concept Plan;**

This criterion is not required for this FDP since the project area is entirely Downtown Parkland.

- i. The Final Development Plan is in harmony with existing and planned vicinal land uses. In making this determination, the Planning Board shall consider, if appropriate:**

- (1) Landscape features on the boundary of the plan area, which may include protection of existing vegetation or grade changes that provide a natural separation, or landscape planting;**
- (2) The size of buildings along the edges of the plan area through limits on building height or other requirements;**
- (3) The use and design of nearby properties and**
- (4) The adopted Downtown Columbia Plan recommendations for height, building massing and scale, and neighborhood connectivity;**

The project area is to remain as Downtown Parkland. Some existing trees will be removed in order to install improvements, but any tree removed will be replaced at a 2:1 ratio in landscaped areas. The Neighborhood Concept Plan maintains the maximum 4 story building height proposed in the Downtown Columbia Plan. However, no buildings are immediately proposed and areas highlighted for structures are only conceptual at this time. Subsequent plans should carefully integrate the project with Merriweather Post Pavilion. Efforts should be undertaken to coordinate designs and operations between these uses.

- j. ***The development proposed by Final Development Plan is served by adequate public facilities, including any proposed mitigation or development staging in accordance with the Adequate Public Facilities Ordinances (Title 16, Subtitle 11 of the Howard County Code).***

Housing Allocations and Schools: APFO requirements for housing allocations and schools are not applicable to this FDP since no residences are proposed.

Road Facilities: A traffic assessment was conducted for the proposed project and found that no APFO improvements are warranted. Frontage improvements, including an upgraded pedestrian signal, will be required prior to or with the site development plan per standard Design Manual requirements.

- k. ***The Final Development Plan protects environmentally sensitive features and provides environmental restoration in accordance with the Downtown Columbia Plan.***

No improvements are proposed on moderate or steep slopes and no stream crossings are shown within Phase I. A 50' buffer will be established along the intermittent stream that exists on site.

Environmental Restoration will be provided in a subsequent phase. The restoration proposed within the Merriweather-Symphony Woods Neighborhood Design Guidelines are consistent with the restoration proposed in the Merriweather and Crescent Environmental Enhancement Study.

- l. ***The Final Development Plan protects any historic or culturally significant existing sites, buildings or structures, and public art.***

There are no existing historic or culturally significant existing buildings or structures or public art within the project area. Symphony Woods Park is a culturally significant site which will be maintained and enhanced through the proposed improvements, and will remain a prime site for cultural and community events. Future site development plans are encouraged to maximize the potential interaction with Merriweather Post Pavilion.

- m. ***The Final Development Plan proposes any appropriate plan to satisfy the requirement for art in the community.***

The Final Development Plan proposes the entire site as a potential location for public art since this is primary amenity space. The Neighborhood Design Guidelines provide standards to follow when siting an art piece. Public art will be further addressed at the site development plan stage.

- n. ***The Final Development Plan provides a plan to hold, own, and maintain in perpetuity land intended for common, quasi-public amenity use and public art that is not publically owned, including, without limitation, any Downtown Community Commons, Downtown Parkland, Downtown Arts, Cultural and Community Use, and Downtown Neighborhood Square shown on the Final Development Plan.***

The land will remain within the ownership and operation of the Columbia Association.

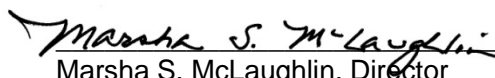
- o. ***To better ensure conformance with the Community Enhancements, Programs and Public Amenities provisions, the Final Development Plan provides for a plan to establish membership in the Downtown Columbia Partnership and payment of the annual charges. Each Final Development Plan shall show a consistent means of calculating and providing the required annual charges.***

This FDP is not subject to the Community Enhancements, Programs and Public Amenities (CEPPA) provisions per Section 125.A.9.h.(2)(a) of the Zoning Regulations which states that *"In no case shall the obligation to provide a Community Enhancement, Program and Public Amenity (CEPPA) be triggered (a) By the development or construction of Downtown Arts, or Downtown Parkland. The land use designation within this FDP is entirely "Downtown Parkland."*

The Columbia Association will be represented within the Downtown Partnership Board of Directors but is not required to contribute to the Downtown Partnership Fund since there are no commercial uses on the property.

**SRC Action:** The Subdivision Review committee has recommended approval subject to the technical comments issued in the letter dated April 19, 2012 **and additional comments issued on June 1, 2012.**

**Recommendation:** Please see Page 1 for the Staff Recommendation.

 6/28/12  
Marsha S. McLaughlin, Director  
Department of Planning and Zoning

Staff Report prepared by: Jill Manion-Farrar  
JMF T:\DPZ\Shared\DL\Jill\Plans\DOWNTOWN\FDP-DC-MSW-1\PB 394\Staff Report\_MSW.doc

**This file is available for public review at the DPZ Public Service Counter,  
Monday through Friday, 8:00-5:00pm**



# Attachment A

## Planning Board Review and Approval Criteria Matrix for Final Development Plans for Downtown Columbia Revitalization (per Section 125.E.4 of the Howard County Zoning Regulations)

### Planning Board Case #394 Merriweather-Symphony Woods

Letter Sec. 125.E.4	Planning Board Criteria*				Comments
		Conforms	Does Not Conform	Modifications/In progress	
a.	All Neighborhood Documents conform with Downtown Columbia Plan (Plan) and Downtown-Wide Design Guidelines	X			No modifications proposed. However, please note: - The neighborhood boundary will ultimately be determined with the installation of the Crescent Road - Additional multiuse paths within the neighborhood will augment connections between amenity sites and surrounding neighborhoods - The design guidelines omit street and sidewalk designs since there are no public roads in the neighborhood. - Implementation Plan is streamlined
b.	Neighborhood Design Guidelines offer sufficient detail to guide the neighborhood over time and promote design features that are achievable and appropriate for Downtown Revitalization	X			Sufficient detail provided. See DAP recommendations for additional consideration (separate attachment). Should clearly guide future, more specific plans
c.	FDP conforms with Neighborhood Documents, the Revitalization Phasing Plan, CEPPA Chart, Downtown Columbia Plan and Exhibits, and Downtown-Wide Design Guidelines	X			Downtown Parkland replacement is required for the area encompassing the parking area. A signed memorandum of understanding between Columbia Association and Howard Hughes Corporation is included in the file which states that the land exchange will occur with the subdivision of the Crescent Neighborhood. Development of the Crescent Neighborhood will not occur without the exchange.
d.	FDP provides a balanced mix of housing, employment, and commercial and arts and cultural uses throughout each phase when considered in the context of surrounding planned or existing development.	X			Not applicable; Downtown Parkland only
e.	The Final Development Plan satisfies the affordable housing requirement.	X			Not applicable; Downtown Parkland only
f.	The bicycle, pedestrian, and transit network creates convenient connections throughout the subject area and connect, wherever possible, routes adjoining the	X			Augmented with additional multiuse pathway within the neighborhood not originally proposed within the Downtown Columbia Plan.
g.	The Final Development Plan protects land covered by environmental sensitive features and connections to existing open space provided	X			Environmental features not disturbed. Abundant connections provided.
h.	FDP provides the location of the required Downtown Community Commons (amenity areas) as indicated in the Neighborhood Concept Plan.	X			West Promenade and Playground area proposed. 5% per FDP area requirement met.
i.	FDP is in harmony with existing and planned vicinal land uses	X			Uses and heights consistent with Downtown Columbia Plan and the surrounding uses.
j.	The development proposed is served by adequate public facilities (Roads and Schools) per APFO	X			See report for additional details
k.	FDP protects environmentally sensitive features & provides environmental restoration per Plan	X			No environmental features impacted. Restoration area will be part of subsequent FDP
l.	FDP protects historic or culturally significant existing sites, buildings or structures, and public art	X			No existing historical or culturally significant sites, buildings, structures or public art
m.	FDP proposes an appropriate plan to satisfy the requirement for art in the community	X			Note provided on the FDP and discussed in Design Guidelines. More info at SDP.
n.	FDP provides a plan to hold, own, and maintain in perpetuity land intended for common, quasi-public amenity use and privately-owned public art	X			Owned by Columbia Association
o.	Downtown Columbia Partnership - FDP explains membership and annual charges	X			Not applicable; Downtown Parkland only

\* This chart provides an abbreviated description of the Planning Board criteria found in Sec. 125.E.4 of the Zoning Regulations and conformance findings. See staff report for complete language and detailed conformance findings.



Attachment B

Design Advisory Panel Recommendations for Planning Board Consideration  
for  
Neighborhood Specific Design Guidelines for Downtown Columbia Revitalization  
(per Section 16.1504.f of the Howard County Code)  
for PB 394 -Merriweather Symphony Woods

No.	Design Advisory Panel Recommendation	Applicant Response	DPZ Recommendation			Comments
			Conforms with DC Plan and DWBG	Does Not Conform	Alternative to DAP Rec Proposed	
	DAP NSDG Submission July 13, 2011	May 3, 2012				Revised PB NSDG Submission - March 5, 2012
1	"Look for elements that start to build a theme and use those to reinforce the document so there is a bit more clarity to a theme for the neighborhood."	<p>The Downtown Columbia Design Guidelines identify the character of the Merriweather-Symphony Woods Neighborhood as an arts, cultural, and civic district. This is the primary influence on the theme for the park. We have been working with the Howard Hughes Corporation to coordinate the plans for Symphony Woods Park with the master plan for Merriweather Post Pavilion so that these two entities serve the interests of the community. As examples of the potential of beneficial coordination, we have identified a location for shared facilities including an amphitheater, a small cafe and a restroom on the Neighborhood Concept Plan. This type of coordination will promote the establishment of a unified theme for the neighborhood.</p> <p>Through our outreach efforts in the community, we have heard concern about maintaining as many trees as possible in Symphony Woods. We have worked to balance interests, large and small cultural and arts activities in the park, such as Wine in the Woods, and small scale performances with the goals of stepping lightly on the land and minimizing the impact to the trees. The trees on the site and the natural topography also significantly influence the character of the park.</p> <p>It is important to note our belief that the park will evolve over time and may eventually accommodate other cultural/arts offerings such as artwork, themed gardens, or elements designed for children's play. We feel that we have struck an appropriate balance related to developing a theme for the neighborhood, addressing the current needs of the community, and providing for the park to evolve as the Downtown grows up around it.</p>	X			<p>Section 4, The Merriweather-Symphony Woods Neighborhood, has been expanded to include language describing the neighborhood's overarching cultural park theme that will be used to evolve a landscape for arts, cultural and civic uses.</p> <p>Section 6, Amenity Space Guidelines, now provides a detailed design approach, which includes features and characteristics of areas throughout the park as well as enhancements anticipated as part of the redevelopment program for Merriweather Post Pavilion. A more unified expression of the neighborhood as a cultural amenity is reflected in opportunities for shared-use facilities between the pavilion and surrounding park.</p> <p>In addition to the neighborhood's cultural park emphasis, the NSDG provide guidance for important environmental restoration efforts to enhance the natural quality of Downtown's central park. These include design standards for 2:1 tree replacement in the Amenity Space Guidelines section, building orientation strategies for harmonizing new structures within existing topography in the Urban Design and Architectural Guidelines section and ecological restoration initiatives for completing enhancements based on the Merriweather and Crescent Environmental Study in the Sustainability Guidelines section.</p>
2	"The function of the park be defined in active and/or passive use."	<p>The Neighborhood Design Guidelines describe the types of activities expected at the park. This park is intended primarily for passive use activities, rather than activities that traditionally fit the definition of active recreation, such as team sports. It is intended that the park will continue to accommodate public gatherings such as concerts and Wine in the Woods, as well as casual walking, people watching and relaxation.</p>	X			<p>Section 4, The Merriweather-Symphony Woods Neighborhood, has been expanded to include language which outlines the functions and characteristics of the park's north, south, east and west quadrants. A variety of spaces are envisioned for increasing community use including areas designed to support large-scale community events and community gathering as well as spaces primarily arranged for passive recreation uses.</p>
3	"Define what the specific vision for the site is and then develop a concept plan based on a definite design narrative."	<p>A clear and inspirational vision statement has been added to the Design Guidelines to state the Park's attributes, Columbia Association's desired outcomes for the park, and its relationship with downtown Columbia and the community. The Neighborhood Concept Plan has been developed to support this vision. See response to comment #1 as well.</p>	X			<p>Section 4, The Merriweather-Symphony Woods Neighborhood, has been expanded to describe the vision for both Symphony Woods Park and Merriweather Post Pavilion.</p>

Attachment B

No.	Design Advisory Panel Recommendation	Applicant Response	Comments		
			Conforms with DC Plan and DWG	Does Not Conform	Alternative to DAP Rec Proposed
	DAP NSDG Submission July 13, 2011	May 3, 2012	Revised PB NSDG Submission - March 5, 2012		
4	"The programmatic use of the park should be part of your Master Plan, at least as their suggested use"	A vision for the programmatic uses of the park is developing through discussions with stakeholders as the park plans move forward. CA believes that, over time, the park will become the site of a variety of programmed activities. The Neighbor/wad Concept Plan reflects includes features that support programmatic activities that will enliven the park.	x		Section 4, The Merriweather-Symphony Woods Neighborhood, has been expanded to include language which outlines the programmatic uses envisioned for various sections of the park as well as Merriweather Post Pavilion. The guidelines also recognize the need for flexibility for future phases of park development to ensure investments over time reflect the economic and demographic changes that will occur in Downtown and the County in coming decades.
5	"Utilize more pervious pavement material throughout the development"	Pervious paving will be used for the proposed new parking spaces. We will evaluate greater use of pervious pavement in the Site Development Plan phase. Site constraints, such as permeable soils, and maintenance issues will be considered for the feasibility of additional pervious pavement materials in the development.	x		Section 6, Amenity Space Guidelines, and Section 7, Urban Design and Architectural Guidelines, include the use of pervious paving as a strategy for incorporating sustainable approaches to storm water management into walkways and parking areas. The use of pervious asphalt is not encouraged for areas where high levels of maintenance would be anticipated.



## Attachment C

### Relevant Definitions Relating to Downtown Columbia Revitalization for PB 394

#### Final Development Plans for Downtown Columbia Revitalization (Excerpted from Section 103 of the Zoning Regulations)

*[Council Bill 59-2009 (ZRA-113) Effective April 6, 2010. Changes include #38 to #60]*

38. Downtown Arts, Cultural and Community Use: Land areas, uses and facilities established for cultural, civic, recreation, educational, environmental, entertainment or community use or benefit, whether or not enclosed and whether publicly or privately owned or operated for profit, including, but not limited to, libraries, fire stations, schools, museums, galleries, artistic work, and transit facilities. Eating, seating and gathering areas that are accessory to these uses are permitted.
39. Downtown Arts and Entertainment Park: A contiguous area including a large outdoor amphitheater which may be surrounded by a variety of smaller indoor or outdoor artistic and performance spaces, museums, galleries and similar cultural or educational uses in a park-like setting. Ancillary uses such as food vendors, gift shops, small restaurants and supporting infrastructure such as utilities, public and private roadways, multi-modal circulation systems adjacent to public and private roadways, surface parking lots, parking structures, and underground parking are also permitted.
40. Downtown CEPPA Implementation Chart: The chart and associated text and flexibility provisions contained in the Downtown Columbia Plan which identify the phasing for Downtown Community Enhancements, Programs and Public Amenities.
41. Downtown Columbia: The following recorded Final Development Plan Phases: Phase 4, Phase 4-A-5, Phase 21, Phase 47-A-7, Phase 52, Phase 62-A-1, Phase 95, Phase 101-A, Phase 105, Phase 111-A-1, Phase 115, Phase 121, Phase 122-A, Phase 139-A-3, Phase 140-A-1, Phase 192-A, Phase 211, Phase 217-A-1, Phase 219, Phase 234, and the area within the described limits included in exhibit A of the Appendix in these regulations.
42. Downtown Columbia Plan: The General Plan Amendment for Downtown Columbia approved by County Council Bill No. 58-2009.
43. Downtown Community Commons: Amenity spaces such as plazas, promenades, greens, gardens, squares and other pedestrian-oriented areas, whether publicly or privately owned, that are intended for community interaction and may include spaces for seating, walking, eating, gathering, fountains, public art, way-finding signage, kiosks, or other similar public amenities. Downtown Community Commons can also include walkways that are designed to enhance and be an integral part of the adjacent amenity space, but shall not include any drive lane for vehicular traffic such as private streets, alleys and public roadways for automotive use. Downtown Community Commons must be generally accessible by the public without charge. Included in this category are Downtown Neighborhood Squares. Downtown Community Commons may be integrated into or developed as a part of other uses and may include underground parking, utilities and other infrastructure supporting downtown revitalization.
44. Downtown Community Enhancements, Programs and Public Amenities (CEPPA): The specific feasibility studies, improvement and management organizations, environmental enhancement programs, and physical improvements identified in the Downtown CEPPA implementation chart contained in the Downtown Columbia Plan.
45. Downtown Environmental Restoration: Projects within Downtown Columbia that are identified in Columbia Towncenter Merriweather and Crescent Environmental Enhancements Study or Best Management Practices for Symphony Stream and Lake Kittamaqundi Watersheds involving forest restoration and enhancement, reforestation and afforestation, wetland enhancement, and stream restoration activities.
46. Downtown Environmentally Sensitive Land Area: An area within Downtown Columbia meeting the definition in the Howard County Land Development Regulations of either a floodplain, steep slope, stream or wetland buffers.
47. Downtown Maximum Building Height Plan: The plan which graphically represents the maximum building height requirements for all Downtown revitalization, as depicted in the Downtown Columbia Plan.
48. Downtown Mixed-Use: A land-use designation that permits any use or combination of uses permitted under Section 125.A.9.B., including supporting infrastructure, such as utilities, public

## Attachment C

and private roadways, multi-modal circulation systems adjacent to public and private roadways, surface parking lots, parking structures, and underground parking.

49. Downtown Neighborhood Concept Plan: A concept plan showing an individual neighborhood identified in the Downtown Columbia Plan that depicts a general layout for proposed public and private streets, block sizes and configurations, maximum building heights and proposed Downtown Community Commons as context for the evaluation of the Final Development Plans.
50. Downtown Neighborhood Design Guidelines: Urban design guidelines for an individual neighborhood identified in the Downtown Columbia Plan.
51. Downtown Neighborhood Square: An outdoor amenity space comprised of not less than 25,000 contiguous square feet, exclusive of bike paths and required sidewalks that might be located along its perimeter. A Downtown Neighborhood Square may be covered or partially covered.
52. Downtown Net New: As applicable, the number of dwellings, hotel and motel rooms, and the amount of gross floor area of commercial office and commercial retail uses that are permitted under the Downtown Revitalization Approval Process after April 6, 2010 in excess of the number of dwellings, hotel and motel rooms, and gross floor area of commercial office and commercial retail uses that are shown on a Site Development Plan for property located within Downtown Columbia that was approved prior to April 6, 2010.
53. Downtown Open Space Preservation Plan: A plan included in the Downtown Columbia Plan delineating all land in Downtown Columbia designated as open space on a Final Development Plan recorded prior to April 6, 2010 that is required to retain its existing character as: Downtown Environmentally Sensitive Land; Downtown Parkland; Downtown Community Commons; or a Downtown Arts and Entertainment park, as specified in Section 125.A.9.H.
54. Downtown Parkland: An area generally accessible by the public without charge for active and/or passive recreation purposes which consists primarily of vegetated areas with a natural character, more formal lawns, gardens and walks, pedestrian connections, minor active structured recreation uses such as urban playgrounds, public art, fountains and minimal structures such as cafes and outdoor dining areas, gazebos, pavilions, outdoor stages, and kiosks.
55. Downtown Primary Amenity Space Framework Diagram: A plan and associated text included in the Downtown Columbia Plan depicting existing and proposed primary amenity and natural spaces in Downtown Columbia.
56. Downtown Public Art: Original outdoor artwork which is accessible to the public.
57. Downtown Revitalization: A form of development required in Downtown Columbia after April 6, 2010 in compliance with the applicable provisions of Section 125 that must conform with the recommendations of the Downtown Columbia Plan.
58. Downtown Revitalization Phasing Plan: A phasing plan included in the Downtown Columbia Plan identifying additional development rights by phase for Downtown Revitalization.
59. Downtown Signature Building: An existing or proposed structure which requires premiere attention to its architectural design because of its cultural significance or prominent location in relationship to the public realm, such as its position on a street or open space, or as the terminus of a vista.
60. Downtown-wide Design Guidelines: General urban design guidelines for Downtown Revitalization adopted by the Howard County Council.